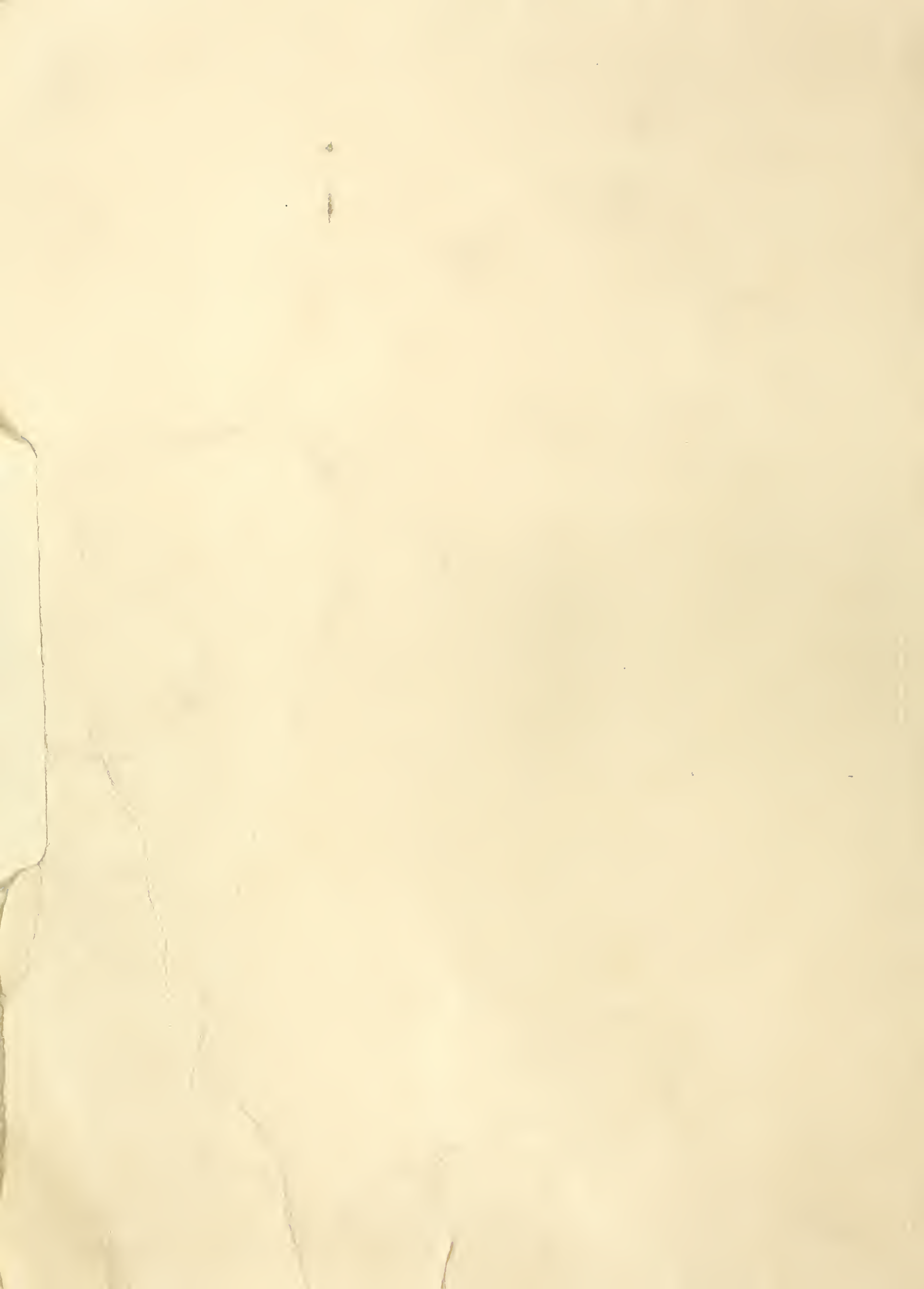


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[WFO 137]

PART 1460—FATS AND OILS

CASTOR OIL

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of castor oil for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1460.44 *Distribution, delivery and use of castor oil*—(a) *Definitions*. (1) "Castor oil" means oil obtained from the castor bean, commonly known as castor oil, whether crude, raw, filtered, refined, blown, dehydrated, or otherwise processed, excluding sulfonated castor oil.

(2) "Producer" means any person who produces castor oil, including any person for whom castor oil is produced under a toll agreement.

(3) "Distributor" means any person who acquires castor oil for resale.

(4) "User" means any person who uses castor oil in the manufacture of any other product, regardless of whether castor oil is incorporated into such other product.

(5) "Use" includes processing or blending.

(6) "Specific authorization" means:

(i) A written notice addressed to a named user or distributor authorizing such user or distributor to use a stated quantity of castor oil or to receive a stated quantity of castor oil from a named source of supply, or both;

(ii) A written notice addressed to a named supplier authorizing such supplier to deliver to a named user or distributor a stated quantity of castor oil.

(7) "General authorization" means:

(i) A written notice addressed to a named producer or distributor authorizing such producer or distributor to deliver, during a particular calendar month, not in excess of a stated maximum quantity of castor oil, such castor oil to be delivered to users in lots of not more than 450 pounds per calendar month to any one user, or

(ii) A written notice addressed to a named producer authorizing such producer to deliver, during a particular calendar month, not in excess of a stated maximum quantity of castor oil to distributors for resale for medicinal use as such.

(8) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(9) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Authorization required*. No producer, distributor, or user shall deliver, receive, or use castor oil except in accordance with a specific or general authorization issued by the Director under the provisions of this order. No authorization shall be required for the delivery of castor oil by a distributor to any person who acquires such castor oil for resale for medicinal use as such, or for the receipt or consumption of castor oil for medicinal use as such by an ultimate consumer.

WAR FOOD ADMINISTRATION

(c) *Prescribed conditions*. The Director may prescribe the period of time during which an authorization shall be effective. No person shall deliver, receive, or use castor oil under an authorization which has expired. To the extent that any castor oil is not used for the purpose for which or during the period in which its use is authorized, such castor oil shall revert to inventory and shall remain subject to all the provisions of this order.

(d) *Specific authorizations*. Except as provided in paragraph (b) hereof, specific authorization shall be required for the delivery to any one person in any calendar month, and the receipt or use by such person in such month, of more than 450 pounds of castor oil.

(e) *General authorizations; certificates*. (1) General authorization shall be required for:

(i) The delivery of castor oil by producers or distributors where such deliveries are in quantities of 450 pounds or less to any one user in any calendar month;

(ii) The delivery of castor oil by producers to distributors who require such castor oil for resale for medicinal use as such. No general authorization issued under this paragraph (e) (ii) shall authorize any producer to deliver castor oil to a distributor for use or resale for use in the preparation of medicinal or pharmaceutical products.

(2) General authorizations will state the maximum quantity of castor oil which the producer or distributor may deliver during any calendar month. No person shall deliver castor oil under a general authorization in excess of the maximum quantity permitted for such calendar month.

(3) No person shall deliver and no user or distributor shall receive castor oil under a general authorization unless such user or distributor executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to \_\_\_\_\_

\_\_\_\_\_ that he is familiar with address of supplier the terms of War Food Order No. 137, that this certificate is furnished in order to enable the undersigned to acquire \_\_\_\_\_ pounds of castor oil, to be delivered on or about \_\_\_\_\_. The undersigned further certifies that he is a \_\_\_\_\_,

State whether user or distributor and that (check applicable statement):

[ ] The receipt of such castor oil will not increase his total receipts as a user of castor oil beyond 450 pounds for the current month.

[ ] All such castor oil will be sold as castor oil for medicinal use as such.

\_\_\_\_\_  
Purchaser

By \_\_\_\_\_

Authorized Official

\_\_\_\_\_  
Date

(4) All certificates executed under this paragraph (e) shall be retained for at least two years and shall, upon request, be submitted to the director for examination. All statements contained in such certificates shall be deemed representations to an agency of the United

U. S. DEPARTMENT OF AGRICULTURE  
CURRENT SERIAL RECORD  
DEC 3 1945  
WFO 137  
JUNE 29, 1945

States. No person shall be entitled to rely upon any such certificate if he knows or has reason to believe it to be false. (f) *Applications for issuance of authorizations*. (1) Applications for specific authorizations shall be made by the user or distributor on Form FDA 478, and shall be accompanied by Form FDA 477 where the applicant desires to receive castor oil from another person. Where the applicant for a specific authorization is a user, he shall specify, in accordance with the following classifications, the primary product for which such castor oil will be used:

Synthetic resins  
Protective coatings  
Civilian (describe use)  
Military (give agency, contract number, end use, specifications if any, and delivery requirements under contract)  
Artificial leather  
Coated fabrics other than artificial leather  
Synthetic rubber  
Rubber factice  
Sulfonated oil (describe end use fully, e. g., cotton dyeing and finishing, fat liquoring leather, etc.)  
Industrial tape  
Adhesives other than industrial tape  
Binding compounds  
Lubricating oil additives  
Lubricants and greases  
Metal working compounds  
Medicinal and pharmaceutical preparations (identify)  
Cosmetics  
Hydraulic brake fluid  
Textile oil (non-sulfonated base)  
Real leathers (non-sulfonated oil base)  
Plasticizers (explain by type with end uses)  
Printing ink  
Duplicating supplies (carbons, ribbons, stencils, etc.)  
Dielectrics  
Boiler feed water compound  
Abrasives  
Petroleum treating compounds  
Insecticides  
Disinfectants  
Products not listed above (specify)

(2) Applications for general authorizations shall be made on Form FDA 478 by the producer or distributor who desires to deliver castor oil.

(3) All applications for specific or general authorizations shall be filed on or before the 15th day of the month preceding the month in which delivery, receipt, or use is requested: *Provided, however*, That applications for delivery, receipt, or use during July 1945 shall be filed on or before July 10, 1945. Insofar as practicable, authorizations will be issued prior to the beginning of the calendar month in which delivery, receipt, or use is requested.

(g) *Records and reports*. (1) Every producer shall, within 15 days after the end of each calendar month, execute and mail to the Order Administrator one copy of Form FDA 476 showing, separately, his actual and estimated production, deliveries, and stocks of castor oil: *Provided, however*, That reports showing production, deliveries, and stocks of castor oil for the month of June 1945 shall be executed and mailed on or before July 7, 1945.

(2) Every person who uses more than 1,000 pounds of castor oil in any calendar month shall, on or before the 15th day of the following month, execute and mail to the Bureau of the Census, Wash-



ington 25, D. C., Bureau of the Census Form BM-1. Every person who uses more than 3,000 pounds of castor oil in any calendar quarter shall, on or before the 15th day of the second month following such calendar quarter, execute and mail to the Bureau of the Census, Washington 25, D. C., Bureau of the Census Form BM-2. Nothing contained herein shall be construed as requiring any person to file more than one Form BM-1 in any month, nor more than one Form BM-2 in any quarter, except that a separate report shall be filed for each plant in which such person uses castor oil.

(3) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) Every person subject to this order shall, for at least two years or for such other period of time as the Director may designate, maintain an accurate record of his production of and transactions in castor oil.

(h) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(i) *Audits and inspections.* The Director shall be entitled to make such

audits or inspections of the books, records, and other writings, premises, or stocks of castor oil of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(j) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(k) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using castor oil. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(m) *Communications.* All applications for authorizations to deliver, receive or use castor oil, all reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 137, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(n) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(o) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 1, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785)

Issued this 29th day of June 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator.

#### War Food Administration, Summary to WFO 137.

The War Food Administration today issued War Food Order 137, placing all supplies of castor oil under complete allocations control, effective July 1, 1945. Under the terms of the order, all users must obtain authorization from WFA to accept delivery of or to use castor oil, including any supplies now on hand.

It was necessary to place controls over the supply of castor oil, the WFA ex-

plained, in order to ensure its use in essential military and civilian products. Although supplies during the last year and a half have been adequate to meet these needs, the present castor bean crop is estimated as being substantially smaller than the previous two years' crops. Castor oil is used in the manufacture of such important war and civilian products as synthetic rubber and resins, coated fabrics, hydraulic pressure transmission fluids, and petroleum emul-

sion treating compounds.

The new allocation order is similar to the revoked WFO 32, which controlled the distribution and use of castor oil during the critical period from the spring of 1943 to October 1943.

Users must apply for permission to accept delivery of and/or to use castor oil on Forms 477 and 478, obtained from the Fats and Oils Branch, Office of Marketing Services, WFA, Washington 25, D. C.

GPO—WFA 470—p. 2

WAR FOOD ADMINISTRATION  
OFFICE OF MARKETING SERVICES  
WASHINGTON 25, D. C.  
OFFICIAL BUSINESS

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